

## **I. MISSION**

The mission of the Greenwood Recovery Court is to help adults with alcohol and/or drug addictions gain the skills and motivation necessary to control their addictions and regain productive lives. The program provides intensive alcohol and drug services to adults who have had two or more contacts with the legal system primarily caused by alcohol or drugs, with the goal of returning these participants to society as drug-free productive citizens. The program benefits individual participants by helping restore them to sobriety. The program benefits the community by:

1. returning to society individuals who have been partially or totally impaired due to substance abuse;
2. reducing the costs associated with jails and prisons;
3. reducing the costs of welfare and public health programs;
4. strengthening families, and
5. increasing public safety.

The Greenwood Recovery Court is rigorous. In addition to substance abuse issues, the program addresses educational, psychological, employment and family issues. The treatment team believes that substance abuse does not exist in isolation, but occurs in conjunction with other problems. Chronic substance abuse also results in various chemical and physiological changes to the individual's brain, central nervous system and body. These changes can affect a person's ability to function in family and society, and require correction or the person cannot experience long-term recovery. The Recovery Court therefore takes a "holistic" approach to recovery and attempts to identify and address all factors influencing the participant's use of controlled substances.

NOTE: Unlike most drug treatment courts, the Greenwood Recovery Court places great emphasis on abstinence from alcoholic beverage consumption. A number of participants in the program are alcoholics and list alcohol as their only or primary drug of choice. For treatment purposes, the Greenwood Recovery Court makes no distinction between alcohol and street or prescription drugs, and believes that addicts and alcoholics frequently are tempted to switch between drugs of choice during the early stages of recovery. Further, research has confirmed that alcohol has as much, or more, detrimental effect on the human brain as any other drug.

The information contained within in this manual is intended to be general guidelines for participation in the Greenwood Recovery Court program. The program is designed to be tailored to each participant's specific needs and circumstances following the development of the participant's individualized plan.

## **II. PROGRAM ELIGIBILITY REQUIREMENTS**

To be eligible for Recovery Court, a candidate must be an adult (over the age of 18), be referred to the program by a Johnson County Court, and have had a minimum of two contacts with law enforcement (including probation violation), caused primarily by drugs or alcohol within the last five years.

However, anyone who has been convicted of a crime of violence as defined by the United States Department of Justice or Indiana Code is not eligible for participation in the program. The treatment team will carefully screen anyone who has been convicted of or charged with rape, child molestation or other sex crimes, or offenses involving the sale of drugs.

Individuals entering the Recovery Court program must be willing and able to fully participate in all program requirements, including

1. Have access to dependable transportation, such as public buses.
2. Pay the costs associated with the Recovery Court and any substance abuse treatment program. (A truly indigent person will not be denied services simply because they are unable to pay the program or treatment fees.)
3. Have or be able to gain full time employment, as approved by the treatment team. The employment must be conducive to recovery, as determined solely by the treatment team.
4. Execution of a Waiver of Rights form
5. Execution of Consent for Unrestricted Release of Information by the participant's treatment provider to the Recovery Court treatment team and staff.
6. Program participation is not a right, but is conditional upon program acceptance.

### **III. REFERRALS, SCREENING AND ASSESSMENT**

The initial identification of a person for the Greenwood Recovery Court program will come from many different sources, i.e. Judges, Prosecutors, Defense Attorney or Probation Officers. Assignment of a candidate to the Greenwood Recovery Court must be done by a Johnson County Court through a formal Order of the Court and must be done in conjunction with a sentence imposed for a criminal violation or violation of probation. Anyone who is not actively serving a sentence – typically probation – cannot participate in the Recovery Court program.

The Greenwood Recovery Court staff must conduct a substance abuse evaluation of anyone referred to the program prior to acceptance of that person into the program. A referring Court can request that this evaluation be performed prior to sentence, and this request will be honored if the Greenwood Recovery Court staff is allowed at least two weeks to complete this evaluation and have it reviewed by the treatment team. The candidate is responsible for the fees associated with the evaluation process. If the evaluation is conducted after the candidate is sentenced to Recovery Court and the candidate is rejected, the candidate is returned to the original Court for review of the Court's sentence.

When a candidate is accepted into Recovery Court, the sentencing Court should order the defendant into the Greenwood Alcohol and Drug Services Program and to successfully complete the Recovery Court program. The Recovery Court will have authority to impose sanctions for program violations independent of the sentencing Court, although the Recovery Court staff can provide monthly progress reports to the original Court if requested. Should a participant be terminated from the Recovery Court, they are incarcerated and returned to the original Court for further proceedings.

The substance abuse evaluation referenced above is a psychosocial history, which primarily focuses on alcohol and drug use. The assessment also takes into account the person's previous drug/alcohol using behaviors and patterns.

The referring Court should send any pertinent information, including but not limited to, criminal history, presentence investigation, charging information, and probable cause affidavit.

The candidate's criminal history will be checked through NCIC, IDACS and JUSTIS to determine if there are any criminal convictions that would disqualify the candidate from the program. Additionally, each candidate is asked to self-report his/her own criminal history. When a NCIC or IDACS check or self-report is received that would indicate that a person would have a disqualifying conviction, a staff member (normally the assessor or case manager) will attempt to contact the Court, which sentenced the person. The staff member will attempt to obtain charging information, affidavit(s) of probable cause, sentencing order and any other pertinent information.

Following the completion of the substance abuse evaluation and verification of any criminal history, the candidate will be staffed with the entire Greenwood Recovery Court treatment team. At that time, a recommendation to accept or deny the person will be made from the treatment team to the Greenwood Recovery Court Judge. The Recovery Court Judge makes the final decision regarding acceptance or rejection of the candidate.

If the person is a referral from another court, the assessment staff will send written notice to the referring court advising of the decision to accept or deny the individual into the program. Any extraordinary conditions of participation will be included in this notification. Copies of the notice may also be sent as a courtesy to the candidate's attorney and the prosecuting attorney.

## **I. REQUIRED WAIVERS**

To participate in Recovery Court, each participant must waive (give up) all procedural rights except those specifically authorized by the Recovery Court. Each candidate for Recovery Court has the right to meet with the Recovery Court's public defender or private attorney to review the Waiver of Rights form contained in the Participation Agreement. If the candidate chooses to execute the Waiver of Rights form, the candidate may proceed with the intake process. If the candidate refuses to execute the Waiver of Rights form, the candidate is returned to the referring court for further proceedings.

Each candidate also must execute a Consent for Unrestricted Release of Information that allows the candidate's treatment provider to share treatment information with the Recovery Court treatment team and staff. The Consent for Unrestricted Release of Information is explained by the case manager.

## V. PROGRAM REQUIREMENTS

### A. SUBSTANCE ABUSE SUITABILITY

To be eligible for the program, a participant must meet assessment criteria for being a substance abuser or substance dependent person. This will be determined through a substance assessment conducted by a member of the Greenwood Recovery Court or Greenwood City Court Alcohol and Drug Services Program.

The person must be able and willing to complete substance abuse treatment at one of three agencies used by the Greenwood Recovery Court for substance treatment services.

If a person does not meet the “abuser or dependent” criteria, they will be deemed to be an inappropriate referral to the Greenwood Recovery Court.

### B. TESTING FOR USE OF DRUGS

Rigorous, frequent and random testing of participants for drug use is a key element of the Recovery Court program. All participants are tested for drug use by analysis of their urine. The following procedures will be followed for the selection and notification of urine screen color groups:

1. Phase colors will be selected on a random basis.
2. Case managers will record on the dedicated urine screen phone line the day’s color and/or instructions prior to 6 a.m. each day.
3. The recording may include, but not be limited to, the phase color, type of tests, the times of collection for tests, the place for collection for tests and any other pertinent information.
4. Participants will be allowed to appear three hours from the time of the recording. (If the recording is available at 6 a.m., participants have until 9 a.m. to appear.)
5. If a participant appears after the specified time or fails to appear for urine screens, the tardiness or miss will be considered a positive test result. If a participant appears after the deadline, no test will be conducted.

Specimens will be collected from each participant in a manner that assures the integrity of the specimen but without unduly embarrassing or causing distress to the participant. This expressly means that the collection of a urine sample may be observed by program staff of the same sex as the participant. Under no circumstances may urine collection be observed by a member of the opposite sex.

**Each participant is responsible for the contents of his or her body. The presence of controlled substances in the participant’s body, as indicated by the urine screen, shall constitute *prima facie* evidence of the knowing or intentional use of controlled substances.**

A participant whose test shows the presence of controlled substances shall be entitled to challenge the test and have his or her own examination made of the urine specimen. In this event, the participant must provide notice to the case manager or program director of the participant’s desire to make their own examination of the specimen within two business days

of the participant's first notice of the presence of controlled or illicit substances in the specimen. The notice must be written and must clearly communicate the participant's desire to challenge the test. The notice must be hand-delivered to the program offices. The burden of proving that a challenge was timely, rests upon the participant. A participant who fails to provide the notice within these time limits shall not be entitled to challenge the program's test. The participant's test shall be done by a different laboratory that customarily performs testing of similar specimen, which is acceptable to the program staff, except that program staff shall not reject a proposed laboratory without specific reasons. The specimen shall be sent from the Greenwood Recovery Court program office directly to the designated laboratory. The participant is not entitled to have possession of the specimen under any circumstances. The participant shall pay all costs associated with the testing prior to the testing being performed. If the participant fails to provide payment within two days of giving notice of the participant's intention to have the testing performed, the participant waives the right to the test. If the participant is subsequently determined by the Court not to have violated any program rules with regard to the disputed specimen, the participant shall be reimbursed the costs of the subsequent testing of the specimen.

The participant is responsible for providing a specimen at the time and place specified by program staff. The participant is entitled to a three-hour notice to provide the specimen. The typical procedure for notification shall be as follows: Each participant is required to telephone a dedicated number every day, including weekends and holidays, that the participant is in the program. A recorded message at that telephone number notifies the callers of which program colors are required to submit specimen that day. The recorded message shall be available by 6 a.m. each day, and participants shall provide the urine specimen by 9 a.m. that same day. When the prerecorded message has not been changed from the prior day's recording, there will be no urine screens collected on that day.

Failure to provide the specimen shall be treated as a test in which the presence of illicit drugs is detected. This includes both failing to appear for the test, and failing to provide a urine sample.

Each participant shall pay all costs associated with drug testing. For the convenience of both the participants and the program, these costs have been calculated in a weekly charge based upon the number and type of tests for participants in each color level.

Participants coming into the program often test positive for drugs. Under these circumstances, new participants are allowed a reasonable time to get previously ingested drugs out of their bodies. The amount of time is determined by the treatment team and based upon a variety of factors, including the type of drug and body type of the participant. However, the amount of the drug in the new participant's body should always be decreasing. Any increase in the amount of a drug in the new participant's body will result in an immediate sanction.

### **C. TESTING FOR CONSUMPTION OF ALCOHOL**

Recovery Court participants are prohibited from consuming alcoholic beverages of any kind, including so-called "near-beer" and "non-alcoholic beer." All persons entering the program will submit to daily breath tests to determine alcohol consumption for a **minimum** of 30 days. During that first 30 days, the treatment team will determine when the participant's daily breath tests will be reduced or ended.

A participant may be, and in most cases will be, required to submit to daily breath tests **through the blue phase** when any of the following criteria are met:

1. Any history of an Operating While Intoxicated offense
2. Any history of any other alcohol related offense
3. The supervising Probation Officer recommends it at entry into the program
4. Recommendation from the substance abuse evaluation for daily breath tests
5. Recommendation from the treatment team for daily breath tests
6. Consumption of alcoholic beverages after entering the program

A participant who tests positive for consumption of alcoholic beverages will be sanctioned. A participant who fails to appear for a required breath test will be considered to have consumed alcoholic beverages and sanctioned accordingly.

Breath tests will occur in the following manner for those who work 1<sup>st</sup> or 2<sup>nd</sup> shift:

1. Monday through Friday: at Greenwood Probation at 7:30 a.m.
2. Saturday and Sunday: at Serenityhouse at 9:15 a.m.
3. Any changes made to this schedule will be determined by the Court.
4. If a person is ordered to submit to more than one test per day, the times and frequency will be determined on an individual basis.

Breath tests will occur in the following manner for those who work 3<sup>rd</sup> shift:

1. Monday through Friday: at Greenwood Probation at 3:30 p.m.
2. Saturday and Sunday: at Serenityhouse at 9:15 a.m.
3. Any changes made to this schedule will be determined by the Court.
4. If a person is ordered to submit to more than one test per day, the times and frequency will be determined on an individual basis.

Anytime there is any deviation from this schedule, the participants will be notified in advance or on the urine screen recording.

#### **D. ANTABUSE**

A person may be recommended by the treatment team to be evaluated for the use of Antabuse, subject to prescription by a licensed medical doctor.

When a participant agrees to ingest Antabuse and a licensed medical doctor prescribes Antabuse for the participant, the following guidelines will be followed with respect to the time frames of consumption and removal from the drug:

1. The participant is recommended to have liver functioning and/or enzyme level tested by the prescribing physician three (3) months after beginning the drug.
2. The participant will be reviewed at six (6) months.
3. When removed from the drug, the participant will submit to daily breath tests.

The participant's consumption of Antabuse must be directly observed by program staff. A participant may refuse to ingest Antabuse. If this occurs, the treatment team will determine on an individual basis, while balancing participant need and public safety, if there is another option that may be used instead of Antabuse. If, by treatment team determination, there is no other option, which will adequately protect the safety of the community, the participant may not be accepted into or be removed from the program.

## **E. SELF-HELP MEETINGS**

The following is the minimum number of self-help meetings that participants will be required to attend while in the following phases:

Red:	determined on an individualized basis
Orange:	3 times per week; normally on unoccupied days (Orange participants also will be involved in Intensive Outpatient Program meetings)
Yellow:	3 times per week; normally on unoccupied days
Blue:	3 times per week; normally on unoccupied days
Green:	3 times per week; meeting with treatment can count

Each participant will be required to provide verification for each meeting that they attend. These verification sheets will be reviewed by the participant's Case Manager.

Information regarding the location and times of meetings will be given to the participant at intake by their Case Manager.

When any treatment agency is closed and a participant can not attend regularly scheduled treatment, the participant will attend a self-help meeting in lieu of the treatment session. These self-help meetings will be in addition to any regularly required self-help meetings. Case managers will verify that these meetings are appropriately documented on the participant's schedule when the case manager approves the schedule.

## **F. EMPLOYMENT**

All participants are required to be employed in an acceptable, full-time job or educational program within two weeks of beginning the program. A job must be consistent with all aspects of the individual's recovery, or the job must be changed. Final determination of "acceptable job" rests with the treatment team and the Greenwood Recovery Court.

To be acceptable for purposes of Greenwood Recovery Court, in most cases, a job must meet all of the following criteria:

1. Provide regular work of at least 37 hours per week
2. Result in a regular paycheck.
3. Able to be confirmed, both hours and paycheck, by the case manager.
4. Be compatible with Greenwood Recovery Court obligations.
5. Be compatible with recovery.

Various jobs are never acceptable, including but not limited to

1. Job requiring lengthy or regular absences from the central Indiana area (such as over-the-road truck drivers)
2. Jobs which require travel out-of-state
3. Jobs which require constant contact with alcoholic beverages, such as bartenders and wait staff
4. Jobs which involve illegal activity or association with criminals

Other jobs may be unacceptable due to the individual participant's history of drug or alcohol abuse.

Case managers shall verify each participant's employment within one week of that participant's beginning Greenwood Recovery Court or beginning the job, whichever is later.

The field officer shall make a visit to the participant's primary work location within 30 days of the participant's beginning Greenwood Recovery Court or the job. The purposes of the visit are to:

1. Verify the workplace is compatible with recovery.
2. Verify that the participant is employed at the workplace.
3. Answer any questions by the employer.
4. Establish and foster a good relationship between the employer and the program.

A participant shall not voluntarily quit or take any action to cause a termination of employment without prior written permission of the case manager. A participant who violates this provision shall commence regular uncompensated daily community service work immediately on the next work day following the last day of compensated employment, and shall continue the community service work until the participant begins another acceptable job.

Any participant who does not have employment as provided herein shall perform uncompensated daily community service work of eight hours per day, five days per week, until acceptable employment is established and verified. The purpose of this community service work is not punitive, but to keep the individual occupied in a verified setting and to motivate the participant to obtain productive employment. Participants who are performing community service work pursuant to this provision will be allowed time to look for compensated employment, with the time in interviews and job searches counted toward the eight hour per day community service work requirement. All time counted toward the community service work requirement must be subject to verification, and any time spent either performing community service work or in job search that cannot be verified by program staff will not be counted.

## **G. PUNCTUALITY/PREPARATION**

Participants are required to be present, on time, and prepared for meaningful participation in Greenwood Recovery Court events. Tardiness reflects a lack of consideration for others and wastes valuable time. It also is detrimental to getting and keeping good jobs.

When participants appear for case management appointments they should be on time and prepared. This means that all information is complete and ready for the case manager when the participant walks into the case manager's office.

## **H. DRESS CODE**

The following apparel will not be allowed in the Greenwood Recovery Court courtroom:

1. Tank tops, cut-offs, or clothing with large, visible holes.
2. Cell phones and/or pagers
3. Hats, bandanas or head apparel of any kind

4. Piercings other than earrings that appear, in the sole discretion of the Judge, to promote the drug culture or substantially detract from employability
5. Attire or accessories which promote drug or alcohol use, including but not limited to:
  - a. Any item made from the hemp plant
  - b. Any item with alcohol or drug promotion
  - c. Any item with music affiliation coinciding with a “drug lifestyle” (decisions are made at the discretion of the Judge, treatment team or program staff.)
6. If there is a question about whether or not to wear a certain garment to court, err on the side of caution and do not wear it.
7. Clothing that is required for purposes of employment is acceptable, including dirty clothing if the participant has insufficient time to change prior to Recovery Court.

## **I. EDUCATIONAL REQUIREMENTS**

Each participant who has not earned a high school diploma or higher upon entry into the program will be required to obtain a high school diploma or GED prior to graduation.

## **J. MENTORING PROGRAM**

The Mentoring Program was originally the idea of a participant who was within two months of graduation from the Greenwood Recovery Court. This participant was looking for an avenue to maintain his sobriety by giving back to others who are early in their recovery and also remaining in contact with the program and its participants.

The Mentoring Program is operated by graduates of the Greenwood Recovery Court and intended to help newer participants get adjusted to the program and to sobriety. The Mentoring Program also provides a comfortable method for newer participants to communicate questions, concerns and complaints to program staff. The Mentoring Program holds meetings on a regular basis and participants are informed of the meetings in advance.

## **K. HONESTY**

Participants will be honest with themselves and with staff. People sometimes become confused about the meaning of “honest”. For purposes of Greenwood Recovery Court, “honest” means that the participant is truthful in all communications with the Court and program staff. It also means that the participant accurately understands the nature and extent of his or her addiction and its impact on his or her life, friends, relatives and associates.

Honesty is a difficult path at first, because it requires admission of unflattering facts and acknowledgment of past failures. However, a person cannot correct past mistakes without understanding and acknowledging the addiction.

Denial, blaming of others, or manufacturing excuses damages recovery. Acceptance of responsibility is a good start toward a productive lifestyle.

Greenwood Recovery Court understands that recovery is a difficult path, and places as much importance on honest as sobriety. Greenwood Recovery Court therefore has an “honesty-discount”, which allows a reduced penalty for a violation that is freely admitted by a participant. To get the “honest discount”, the participant must admit the violation at the earliest possible time without any attempt to evade responsibility for the violation.

## **L. EXCUSES**

In Greenwood Recovery Court, participants either succeed or fail in their responsibilities. Excuses are never accepted.

This is a rule based upon both therapeutic and practical considerations.

## **VI. COURT PROCEDURES**

The Greenwood Recovery Court is in session each Tuesday at 6:00 p.m. and each Wednesday afternoon at 1:30 p.m.

1. Each participant of the Greenwood Recovery Court will be required to attend one session either weekly or bi-weekly, depending upon the participant's status in the program.
2. When referred to the Greenwood Recovery Court, each participant will attend the next court session.
3. After consultation with the case manager, a participant will be assigned to the day court session or the night court session.
4. All participants must appear for scheduled court sessions on time. If a participant is late to a court session, a sanction may be imposed. If a participant fails to appear for a scheduled court session, a warrant may be issued.
5. Participants may, as directed by program staff, be required to appear for a court session that would not be their regularly scheduled session.
6. All court proceedings are open to the public.
7. The treatment team meets each Tuesday beginning at 4:30 p.m. and ending no later than 6:00 p.m., when the Tuesday session of Recovery Court begins.
8. Each participant's case will be called individually and any issues will be discussed.
9. Any participant who is incarcerated will usually appear at the next Greenwood Recovery Court session.

## **VII. INCENTIVES**

Recovery can be a difficult process. Addicts and alcoholics face a battle that others can never fully appreciate. While alcohol and drug abuse are condemned, recovery from addiction is something that deserves respect and praise. A person who makes a terrible mistake and attempts to repair the damage should be encouraged, and progress should be rewarded. For this reason, the Recovery Court has incentives built into the program.

Successful participants who have no Class A Violations (see page 24) can be promoted every three months, with graduation occurring 12 months after the program is begun. Each promotion results in a lessening of program restrictions, time requirements, and costs.

Participants who have completed the Recovery Court program participate in a graduation ceremony conducted on the last Tuesday of each month. Graduates receive a certificate of graduation and a memento of the program.

Participants promoted into the Green Division receive a Recovery Court token on their promotion date.

Additionally, participants in the higher divisions often receive favorable responses to requests to attend events that otherwise would be prohibited.

## **VIII. PROMOTIONS AND GRADUATION**

All promotions occur on the last Tuesday court session of the month. Participants who are promoted remain in the lower division until Sunday of the next week. For example, a participant who is promoted from Orange Division to Yellow Division on Tuesday will still appear for urine screens when orange is called for the remainder of that week. Beginning on Monday of the following week, the participant reports for urine screens on Yellow Division days.

Participants enter the program in the Orange Division. Participants may be demoted to the Red division for Class A Violations, or by treatment team determination.

Promotions are made by the treatment team based upon the following criteria:

Participants who successfully meet the following are eligible for promotion from Red Division to Orange Division:

1. Eight weeks without a positive urine screen/breath test
2. Eight weeks without a Class A Violation
3. Actively participating in IOP
4. Recommended by case manager
5. Recommended by treatment provider

Participants who successfully meet the following are eligible for promotion from Orange Division to Yellow Division:

1. Eight weeks without a positive urine screen/breath test
2. Eight weeks without a Class A Violation
3. Completed IOP
4. Engaged in aftercare program
5. Recommended by case manager
6. Recommended by treatment provider

Participants who successfully meet the following are eligible for promotion from Yellow Division to Blue Division:

1. Ten weeks without a positive urine screen/breath test
2. Ten weeks without a Class A Violation
3. Completion of interview with treatment team
4. Recommended by case manager
5. Recommended by treatment provider

Participants who successfully meet the following are eligible for promotion from Blue Division to Green Division:

1. Twelve weeks without a Class A Violation
2. Six weeks without a Class B Violation
3. All fees owed to Court current
4. All fees owed to treatment provider current
5. Recommended by case manager
6. Recommended by treatment provider

Participants become eligible for graduation upon meeting all of the following:

1. Completion of 12 weeks in Green Division
2. Twelve weeks without a Class A Violation

3. Six weeks without a Class B Violation
4. Completion of IOP and aftercare
5. Completion of a minimum of 100 self-help meetings
6. Payment of all program fees, court costs and other amounts owed as a result of the criminal case
7. Payment of all treatment costs
8. Completion of interview with treatment team
9. Recommendation of case manager
10. Recommendation of treatment provider

## **Phase Descriptions/ Requirements**

### **Red Phase (level one):**

- \*Most intense/ lowest level (likely from jail following sanction)
  - \*Drug Court every week (6:00pm on Tuesday or 1:30pm on Wednesday)
  - \*Customized level of treatment (which can include any of the following- in patient tx, half-way house, work release, home detention or day reporting)
  - \*Case manager meetings 2-3 times per week (Monday, Thursday & ?)
  - \*Urine Drug Screens (UDS) 3-4 times per week, daily breath tests (PBT's) (possibly 2 x PBT's and/or Antabuse)
  - \*Random home visits, curfew 10:00p?
- Total number of occupied days per week = 7

### **Orange Phase (level two):**

- \*Entry level
  - \*Drug Court every week (6:00pm on Tuesday or 1:30pm on Wednesday)
  - \*Intensive Out-Patient (IOP) – meeting 3 times per week
  - \*AA/ NA self help meetings 3 times per week (Fri, Sat, Sun- or more as determined by case manager or treatment team)
  - \*Case manager meetings 1-2 times per week as determined by case manager or treatment team
  - \*minimum of 2 UDS per week, daily breath tests (PBT's)
  - \*Random home visits, curfew 10:00p
- Total number of occupied days per week = 6-7

### **Yellow Phase (level three):**

- \*Drug Court every other week (2 times per month)
  - \*Aftercare- meeting 2 times per week (until completion)
  - \*AA/ NA self help meetings 3 times per week (Fri, Sat, Sun- or more as determined)
  - \*Case manager meetings 1-2 times per week as determined by case manager or treatment team
  - \*minimum of 1 UDS per week, daily or random breath tests
  - \*Random home visits, curfew 11:00p
- Total number of occupied days per week = 5-6 w/ court

*(\*\*\*Complete a presentation to Treatment Team prior to promotion to Blue Phase\*\*\*)*

### **Blue Phase (level four):**

- \*Drug Court every other week (2 times per month)
  - \*Aftercare “continued” – meeting 1 time per week
  - \*AA/ NA self help meetings 3 times per week (mostly throughout weekend)
  - \*Case manager meetings 1-2 times per week as determined by case manager or treatment team
  - \*minimum of 1 UDS per week, random breath tests
  - \*Random home visits, curfew midnight
- Total number of occupied days per week = 4-5 w/ court

### **Green Phase (level five):**

- \*Drug Court every other week (2 times per month)
  - \*Meeting with Treatment provider every other week until completion of Recovery Court
  - \*AA/ NA self help meetings 2-3 times per week
- There will be a total of 3 meetings per week. A meeting with a treatment provider will count as one of the three meetings per week.
- \*Case manager meeting 1 time per week
  - \*minimum of 1 UDS per week, random breath tests
  - \*Random home visits, no curfew
- Total number of occupied days per week = 3-4 w/ court

**\*\* YOU WILL BE SCHEDULED TO COMPLETE A PRESENTATION ON YOUR RECOVERY PRIOR TO GRADUATION FROM THE PROGRAM \*\***

## IX. SANCTIONS

All common violations have a presumptive sanction. The sanction may then be mitigated or aggravated by the participant's history both in and prior to Recovery Court. The treatment team has the sole authority to determine penalties for program violations and for behavior that is contrary to the principles of recovery.

Violations are categorized as either Class A or Class B violations. Class A violations are more serious than Class B violations. All violations include both punitive and treatment components.

Common examples of Class A Violation:

1. Use of any prohibited substance, including a missed urine screen or breath test.
2. Any attempt to interfere with or adulterate urine sample.
3. New criminal offense of any kind. (No distinction will be made between a substance and non-substance offense. Upon the finding of probable cause by any court, the Greenwood Recovery Court will proceed with sanctions.)
4. Act of forgery or deceptive act.
5. Possession of alcohol, prohibited drugs, or firearm.
6. Lying to any program staff.
7. Failing to appear for any treatment or self-help meeting without prior approval from case manager.
8. Being in a tavern, bar, cocktail lounge or any other establishment that serves alcoholic beverages without prior approval from case manager.
9. Being in a place where illegal drugs are being used.
10. Chronic tardiness. (A participant shall be deemed "chronically tardy" when the participant is more than five minutes late for three or more appointments or meetings in a 30-day period.)

Common examples of Class B Violation:

1. Tardiness for any program event, including required self-help meetings.
2. Voluntary termination of employment without prior permission of case manager.
3. Termination of employment by employer because of wrongful act of participant
4. Curfew violation (depending on the circumstance, could be considered to be a Class A Violation)
5. Insolence or profanity directed at program staff
6. Failure to notify case manager of change in schedule after schedule is filed with case manager (unless the failure is deemed by the treatment team to be an intentional act of deception).

A Class A Violation typically will involve a short period incarceration, a delay of promotion, a reduction of program level in some cases, and an increase of in treatment intensity.

Subsequent Class A Violations will generally result in a doubling of the period of incarceration, assignment to work release, and other sanctions and treatment responses as appropriate.

A Class B Violation typically involves community service work and may include increased intensity of treatment. A Class B Violation generally does not result in a reduction of program level or delay in promotion. However, multiple Class B Violations may result in the same kinds of sanctions and treatment responses as described for Class A Violations.

Violations and sanctions are considered by the treatment team at its weekly meetings, and the treatment team recommends sanctions and/or treatment responses to the judge. Sanctions are designed to motivate the participant to modify the objectionable behavior by causing the participant to suffer an undesirable result. Treatment responses are designed to help the participant gain, or regain, the knowledge and skills to avoid making bad decisions in the future.

## **X. FEES AND COSTS**

The program fee for participation in the Greenwood Recovery Court is \$250. Paying for valuable products and services is an essential part of adult life, and participants are required to pay for their drug and alcohol tests. Drug tests are an essential and expensive part of the Greenwood Recovery Court program. For the convenience of participants, the drug and alcohol fees are calculated and paid in weekly installments, based upon the participant's use of the services, i.e. the number of and type of tests received each week. As the participant progresses through the program levels, the number of weekly tests decreases and the weekly cost therefore goes down-an additional incentive for promotion. The weekly fees are:

<b>PHASE</b>	<b>FEE</b>
Red	\$60.00
Orange	\$50.00
Yellow	\$45.00
Blue	\$40.00
Green	\$35.00

In addition to the foregoing, additional tests may be required by program staff. An additional fee may be imposed for the additional test. Fees are payable at the Recovery Court Program offices with cash, money order, cashier's or certified check.

A positive urine screen will result in an additional charge, because positive test results are always re-tested and therefore cost the program twice as much. The re-test is necessary to confirm accurate results. Participants will be allowed a reasonable time to pay the additional fees.

Any test sent to an independent laboratory will be charged additionally according to laboratory fees.

Fees must be current in order for a participant to be considered for promotion to the next phase of the program.

All fees incurred prior to participation in the Recovery Court must be paid prior to graduation. This includes the Greenwood City Court Alcohol and Drug Services Program fee, court costs and fines, probation and urine screen fees.

Financial costs associated with Greenwood Recovery Court can be substantial. Recovery Court and participating treatment providers work with participants to budget payments, with a goal of allowing every potential participant the opportunity to be in the program.

When considering the financial cost-benefit aspect of Recovery Court, the costs associated with continued substance abuse must be considered.

How much does an alcoholic spend on booze daily? How much does a drug abuser spend each week on drugs? How many workdays, or even jobs, are lost because of alcohol or drug use? How much is spent on medical or lawyer bills associated with the damage caused by alcohol or drugs? What is the financial cost spread over a lifetime of substance abuse?

How many tax dollars are spent on medical care for alcoholics and drug addicts? How does substance abuse affect the abuser's family both financially and emotionally? And what about the cost to the community and those around the substance abuser?

The participants in Recovery Court all are adults who would be serving jail sentences if they were not in Court. With the cost of incarceration exceeding \$20,000 a year per offender, the Recovery Court is a genuine bargain for the taxpayer as well as the participant.

Of course, public safety is the first priority for Recovery Court, regardless of financial cost. However, Recovery Court is a prudent financial investment for both the participant and the community.

## **XI. PRESCRIPTION MEDICATIONS**

Some medications interfere with the process of recovery and must be avoided by anyone in recovery. In some cases, participants have a history of prescription medication abuse that requires the Recovery Court staff to monitor the use of prescription medication.

Participants will not be allowed to consume any addictive medications while in the program. This includes all narcotics. All participants will be given the list of prohibited medications at their intake. The case manager will discuss with the participant the medication list.

If a licensed medical doctor prescribes a pharmaceutical drug that the treatment team believes is not acceptable for a participant in Recovery Court, the participant may take the prescribed drug but may be terminated from the program.

*With prior approval* from the treatment team, a participant may use otherwise prohibited pharmaceutical drugs if prescribed by a licensed medical doctor or dentist. It is anticipated that these situations will be rare and will involve major medical procedures or serious injuries. In these cases, the treatment team likely will recommend significant intensification of treatment to counter the damage caused by the pharmaceutical to the recovery process.

When a participant enters the program and has previously been prescribed an addictive medication, the following procedures will be followed in the weaning of the participant from the medication:

1. Case manager will instruct the participant at intake that the medication is not acceptable for purposes of the Recovery Court program.
2. If the participant wishes to continue in the Recovery Court program, the case manager will instruct the participant to meet with the prescribing physician within one (1) week from the date of intake. The participant will report the date of the appointment to the case manager within one day of the initial meeting with the case manager.
3. The participant will advise the physician that he/she needs to be weaned from the medication.
4. The participant will advise the physician that a statement is needed by the case manager regarding the exact procedure and time frame for the weaning process.
5. The participant's physician will supervise the weaning process, with the condition that the participant is to be completely off the addictive medication within a reasonable period of time.

Any prescription that is taken by a participant while in the program must be for a non-narcotic, non-addictive, non-alcoholic medication. The participant is responsible for confirming with the physician or case manager that the prescription meets all Greenwood Recovery Court criteria. If the participant tests positive for any chemical substance that is prohibited by the Greenwood Recovery Court due to ingestion of a non-approved medication, the defendant will be sanctioned accordingly.

The following are some examples of approved and unacceptable medications for Recovery Court participants. This should not be considered a full and complete list of all medications that may or may not be approved or disapproved.

## UNACCEPTABLE MEDICATIONS

BRAND NAME	GENERIC NAME
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Acetaminophen w/ codeine	
Adderall	Amphetamines
Ambien	Zolpidem tartrate
Atarax	Vistoril, hydroxyzine hydrochloride
Ativan	Lorazepam
Cough medications w/alcohol	
Cough medications w/codeine	
Darvocet	Propoxyphene
Darvon	Propoxyphene
Dilaudid	Hydromorphone hydrochloride
Energy pills (ephedrine based)	
Klonopin	Clonazepam
Librium	Libritabs, Chlordiazepoxide
Lorcet	Vicodin/Hydrocodone
Lortab	Hydrocodone
Morphine	
Nyquil (OTC)	
Oxycontin	Acetaminophen/Oxycodone
Percocet	
Sleep aids over-the-counter	
Tylenol 3	
Tylenol PM or comparable med.	
Tylenol with codeine	Hydrocodone
Valium	Diazepam
Vicodin	
Weight Loss/Gain herbs or supplements	
Xanax	Alprazolam

## ACCEPTABLE MEDICATIONS

Acetaminophen, Ibuprofen, Aleve	
Advil, Aleve, Motrin, Tylenol, (OTC),	
Allegra (D)	
Buspar	
Celexa	
Claritin (D)	
Cold & Sinus Meds. (limited time) (OTC)	
Elavil	
Excedrin Migraine	
Paxil	
Prozac	Zoloft
Robitussin DM (OTC)	
Toradol	
Vioxx	
Ultram	Vitamins (with cm approval only)

**Procedure for Approval of Prescription Medications:**

All prescriptions, regardless of whether they are for approved medications, must be provided by participant to case manager within one business day of being written by a licensed medical doctor or dentist.

All prescriptions must be reviewed by the participant's case manager every two months.

Any renewed prescription must be provided by the participant to the case manager within one business day of being renewed.

All prescription medications must be written in prescription form to **YOU**. Any samples must be provided to your case manager in the original package with a statement of verification from your physician.

**Pain Relief:**

Try ice packs, heating pads, rest and/or elevation, either with or without aspirin or other over-the-counter medications.

**Over-the-Counter Medications:**

No medication containing ephedrine or alcohol should be taken. (This includes mouthwashes, cough medicines, and any other medications or items containing alcohol.)

No over-the-counter medications should be taken longer than 3-5 days. Always talk to your case manager about over-the-counter medication.

No weight gain, weight loss, or weight lifting supplements will be allowed to be taken while in the program.

**Trouble Sleeping:**

Try Sleepy Time Tea or melatonin

All over-the-counter medication must be reported to your case manager immediately.

## **XII. MENTAL HEALTH ISSUES AND CO-EXISTING DISORDERS**

The Greenwood Recovery Court will usually accept a person who has been diagnosed with a mental illness. There are certain exceptions, involving severe impairment or psychotropic medications that may not be appropriate for the Recovery Court program. These cases will be evaluated by the treatment team, with an effort made to open the program to as many candidates as possible. The Recovery Court recognizes that substance abuse and mental illness sometimes are linked and one disorder feeds the other.

### **XIII. PHYSICAL AND MENTAL HANDICAPS; PREGNANCY**

The Greenwood Recovery Court is open to anyone meeting program criteria regardless of physical handicap. The Recovery Court also will accept any candidate who is intellectually capable of receiving and comprehending instructions and maintaining employment. A sheltered workshop is acceptable employment.

Participants who are pregnant during the Recovery Court program are given no special consideration and must abide by all program requirements, unless a licensed medical doctor has determined that the participant's medical condition requires her to refrain from certain activities. In these cases, the treatment team will attempt to develop a treatment plan that is consistent with the doctor's instructions and the Recovery Court program.

If a pregnant participant uses alcoholic beverages or street drugs while in the program, the fact that she is pregnant will be considered an aggravating factor in determining the sanction.

#### **XIV. CONFIDENTIALITY OF INFORMATION**

All Greenwood Recovery Court staff will comply with Greenwood City Court Alcohol and Drug Services Program Policies and Procedures Manual regarding the confidentiality of participant records and information.

Release of Information prior to substance abuse evaluation:

1. Case manager will have the participant sign a release of information for the following people:
  - a. Treatment team (mandatory)
  - . Employer (mandatory)
  - b. Any family members (participant discretion)
  - c. Any other person the participant would like information released to

Release of Information after substance abuse evaluation:

1. Evaluator will have the participant sign a release of information for the following people:
  - . Treatment team (mandatory)
  - . Treatment provider (mandatory)
  - . Employer (mandatory)
  - . Any family members (participant discretion)
  - . Any other person the participant would like information released to

The participant has the right to refuse to sign the release of information for any of the above listed persons. However, should the participant refuse to sign the release of information for anyone who has a mandatory following their name, the participant will be denied entrance into the program. The Greenwood Recovery Court Judge will be notified immediately of the participant's refusal to sign consent for release of information.

## **XV. LEAVING RECOVERY COURT**

Successful participants leave Recovery Court triumphantly through graduation. Unsuccessful participants leave in other ways:

1. Termination. The treatment team may terminate any participant who demonstrates either gross or consistent disregard for program rules. A termination decision by the treatment team is final.
2. Participant opting out: A participant may choose to leave the Recovery Court anytime during the participant's first 30 days in the program without any additional sanction; however, the participant will be returned to the original court for sentencing or resentencing on the offense that resulted in assignment to Recovery Court. After the first 30 days in the program, the participant may no longer opt out of the program.
3. Program opting the participant out: The treatment team may reject a participant during the participant's first 30 days in the program. In these cases, the participant is not penalized for the exclusion from Recovery Court and the participant's departure is not deemed a termination.
4. In rare circumstances, a participant who is unable to complete all criteria for graduation may successfully complete the Recovery Court program if the treatment team determines that the candidate has made every reasonable effort to meet all criteria and the participant should not suffer as a result of the lack of success. In such cases, the participant will be given a Certificate of Completion at the graduation ceremony.

## **XVI. RECOVERY COURT LOGO**

The Recovery Court has adopted a program logo consisting of a dragon and sword. The dragon represents the addiction. The sword represents the skills and knowledge gained through the program. The dragon can never be slain, but the participant can use the sword to subdue and control the dragon. But the fight occurs every day, and every day there is a winner and a loser. The Recovery Court hopes that the dragon is the loser every day.

## **GREENWOOD CITY COURT ALCOHOL AND DRUG SERVICES PROGRAM CLIENT'S RIGHTS**

Unconditional Rights. Each client has the following unconditional rights:

1. You have the right to be informed of the nature of any treatment proposed, and the various steps and activities of any treatment.
2. You have the right to confidentiality under federal and state laws relating to the receipt of services.
3. You have the right to make an informed decision whether to accept or to refuse treatment. An involuntary client who wishes to refuse to submit to treatment is entitled to petition the committing court or hearing officer for consideration of the treatment. In the absence of such a petition, the program may proceed with the proposed treatment. Whenever a client gives informed consent to receive services of the program, consent must be made in writing and included in the client's file.
4. You have the right to humane care and protection from harm, abuse, and neglect.
5. You have the right to practice your chosen religion.
6. You have the right to contact with counsel and private practitioners of your choice, at your expense.
7. You have the right to inspect and copy your case record. By policy the program may permit the withholding from the client all or part of the client's record if:
  - a. withholding is necessary to protect the confidentiality of other sources of information;
  - b. you are referred as an inpatient; with good cause for withholding the case record;
  - c. this information could prove harmful to your physical or mental health;
  - d. the consent was not given freely, voluntarily, and without coercion; or
  - e. the information released will cause substantial harm to the relationship between the program and you, or to the program's capacity to provide services in general.
8. You have the right to waive any of the rights enumerated above if the waiver is given voluntarily and knowingly. The waiver may be withdrawn at any time, and in no event may admission to a program be conditioned on giving of such a waiver.
9. If you feel your rights have been violated, you have the right to notify the Program Director and/or the supervising Judge of the program.
10. Under Federal Regulations Title 42 CFR, Section 2.2, you have the following rights in respect to confidentiality of your alcohol and drug abuse patient records:

Generally, the program may not say to a person outside the program, or disclose any information identifying the offender as a participant in an alcohol or drug abuse program UNLESS:

1. The offender consents in writing;
2. The disclosure is allowed by court order; or
3. The disclosure is made to medical personnel in a medical emergency or to qualified personnel for research, audit or program evaluation.

Violation of the Federal law and regulations by a program is a crime. Suspected violations may be reported to appropriate authorities in accordance with Federal regulations. Federal law and regulations do not protect any information about a crime committed by a patient either at the program or against any person who works for the program or about any threat to commit such a crime.

I hereby certify that I can read and understand the English language and therefore understand the program rights. I also acknowledge receiving a copy of the above rights.

**GRIEVANCE PROCEDURE:** Grievances regarding staff members should be presented to the program director either in oral or written form. After review of grievance, a determination of finding shall be returned to the client, when and if necessary as determined by the program director, in the same medium that the original grievance was filed. Grievances regarding the program director should be presented to the supervising Judge either in oral or written form. After review of the grievance, a determination of finding shall be returned to the client, when and if necessary as determined by the supervising Judge, in the same medium that the original grievance was filed.

### **General Office Rules**

This is not meant to be an entire list of all office rules; however, it should guide your conduct. If you have a questions, always error on the side of caution and ask a staff member.

- Do not enter the door from the lobby to staff offices until a member of the staff accompanies you.
- Turn off all cell phones and pagers when you enter the lobby. They must remain turned off the entire time you are in the office.
- No urine screens will be collected at treatment.
- If you are assigned community service work, you must meet with Larry the next day following the assignment of the hours. You must meet with him at 8:00 am.
- No schedule changes will be taken after 4:00 pm on Thursday.
- Anything that is over heard while in the office is confidential. If any confidential information is repeated, it could result in termination from the program.
- You must follow your schedule as approved. Unapproved changes in your schedule will not be allowed. Unapproved changes will not be counted toward Recovery Court requirements. This includes self-help meetings on the weekend.
- Do not page the case manager unless there is an emergency. See the definition of emergency on the next page. If any emergency arises and you need to speak with the case manager, you must leave a phone number at which you can be reached. The case manager's determination is the final determination on what is an emergency. She will return pages at her discretion.
- If your work hours change and the office is closed, you must report this the next business day that the office is open by 10:00 am.
- Be prepared for your appointments. This means that you must have the following information ready prior to your assigned appointment time **every** week:
  1. Completed schedule for the next week
  2. Verification of self-help meetings/meeting logs
  3. Pay stub / Pay receipt
  4. Receipt for payment of Recovery Court fees
  5. Receipt for payment of treatment fees
- Self-help meetings—you must stay for the duration of the meeting to receive credit. The meeting verification logs provided by the Recovery Court are forms that you must have signed. This is the only form that will be accepted. You are responsible for having your sheet signed at the meeting.
- Do not stop by the case manager's office when you are in the staff office area. If you need to speak with that person, tell another staff member. When the case manager is available, that person will speak with you.

# EMERGENCY

## DEFINITION

A situation that arises unexpectedly that is beyond your control **and** requires your immediate attention. Without your immediate attention, the situation will produce further serious or severe consequences.

Examples:

You were arrested on criminal charges.

A death occurs in your immediate family.

A life-threatening situation occurs to you or to a member of your immediate family.

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